

Title 3 §559.23. Louisiana Aquatic Chelonian Research and Promotion Board

A. The Louisiana Aquatic Chelonian Research and Promotion Board is hereby created within the department. The board shall be domiciled in Baton Rouge, Louisiana.

B. The board shall consist of ten members, nine of whom shall be appointed by the commissioner and confirmed by the Senate, as follows:

(1) Two members shall be licensed farmers appointed from a list of four persons nominated by the Louisiana Turtle Farmers Association.

(2) Two members shall be licensed farmers appointed from a list of four persons nominated by the Independent Turtle Farmers of Louisiana, Inc.

(3) Two members shall be licensed farmers appointed from a list of four persons nominated by the Pet Turtle Cooperative Association, Inc.

(4) Two members shall be licensed farmers who are not a member of any of the trade organizations listed in this Subsection.

(5) One member with knowledge of the aquatic chelonian industry shall be appointed at large.

C. The commissioner, or his designee, shall serve ex officio and shall have all rights and responsibilities of appointed members. The commissioner or his designee shall be counted for purposes of constituting a quorum.

D. At the same time and in the same manner, the commissioner shall appoint one alternate for each appointed member. The alternate appointed to represent a member nominated by a trade group shall be appointed from the list of four persons submitted by the respective trade group. When a member is unable to be present at any meeting of the board, his alternate shall serve in his place. Any alternate serving in the place of a member shall exercise all of the powers vested by law in the member, including the right to vote.

E. Appointed members and their alternates shall serve terms concurrent with the term of the commissioner making the appointment.

§559.25. Powers

A. The board shall have the following powers:

- (1) To plan and conduct, in consultation with the department, a campaign for expanding research related to aquatic chelonians, improving the quality and variety of Louisiana aquatic chelonians through research, and increasing sales of Louisiana aquatic chelonians through advertising and marketing.
- (2) To enter into contracts or any other agreement, with the concurrence of the commissioner, for research, advertising, and marketing.
- (3) To hold meetings in the board's parish of domicile or in such other locations within the state as the board may direct.
- (4) To hold hearings on alleged violations of the provisions of this Part or of the rules and regulations adopted pursuant to this Part.
- (5) To advise the commissioner on the civil penalties to be imposed or the injunctive or other civil relief to be sought to punish and restrain violations of the provisions of this Part or of the rules and regulations adopted pursuant to this Part.
- (6) To annually adjust the amount of assessment in accordance with the needs of the aquatic chelonian industry, but not to exceed the amount of one cent per aquatic chelonian as authorized by this Part and approved by referendum.
- (7) To perform such other advisory functions as the commissioner may assign to the board.

B. The commissioner shall have the following powers:

- (1) To adopt rules and regulations as are necessary to implement the provisions of this Part.
- (2) To administer and enforce the provisions of this Part and the rules and regulations adopted pursuant to this Part, through the department.
- (3) To collect, administer and disburse the proceeds of the assessment levied and collected pursuant to this Part.
- (4) To seek and obtain injunctive or other civil relief to restrain and prevent violations of this Part, or rules and regulations adopted pursuant to this Part, or orders and rulings issued by the commissioner pursuant to this Part.
- (5) To inspect all records during regular working hours.
- (6) To institute civil proceedings to enforce his orders or rulings, collect any assessments, late fees, fines, penalties or costs due under this Part or to otherwise enforce the provisions of this Part or rules and regulations adopted pursuant to this Part.